



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#6/Leaf  
dec.

APPLICANT : BENSON, David L.  
SERIAL NO : 09/759,790  
FILED : January 12, 2001  
TITLE : HYBRID MAIZE PLANT & SEED 34B97  
  
Grp./A.U. : 1638  
Conf. No. : 2855  
Docket No. : P04810US0

RECEIVED

JUN 28 2001

TECH CENTER 1600/2900

TRANSMITTAL LETTER

To the Assistance Commissioner for Patents  
ATTENTION: BOX MISSING PARTS  
Washington, D.C. 20231

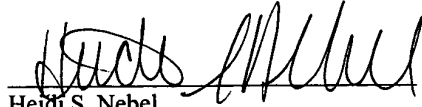
Dear Sir:

In response to the Notice to File Missing Parts of Application with Filing Date Granted,  
enclosed please find the following documents:

- (1) Combined Declaration and Power of Attorney signed by inventor David L. Benson dated January 5, 2001, originally filed with application on January 12, 2001;
- (2) Fee Transmittal Form authorizing the Commissioner to charge indicated fees and credit any overpayment to Deposit Account 16-1852 under the name of Pioneer Hi-Bred International, Inc.;
- (3) A copy of the Notice to File Missing Parts of Application;
- (4) A copy of date stamped postcard received from Patent Office originally filed fee transmittal dated January 12, 2001;
- (5) A copy of originally filed fee transmittal dated January 12, 2001.

CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))

I hereby certify that this document and the documents referred to as enclosed therein are being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on this 29 day of May, 2001.

  
Heidi S. Nebel



# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 2,206

## Complete if Known

Application Number 09/759,790  
Filing Date January 12, 2001  
First Named Inventor BENSON, David L.  
Examiner Name  
Group Art Unit 1638  
Attorney Docket No. P04810US0 PHI 1317

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## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
- Deposit Account Number 16-1852  
Deposit Account Name Pioneer Hi-Bred International, Inc.
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status. See 37 CFR 1.27
2. ☐ Payment Enclosed:  
☐ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

1. BASIC FILING FEE		Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	710	201	355	Utility filing fee	710
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1)					710

2. EXTRA CLAIM FEES		Extra Claims	Fee from below	Fee Paid
Total Claims	32	-20** = 12	X 18	= 216
Independent Claims	19	-3** = 16	X 80	= 1280
Multiple Dependent				

Large Entity		Small Entity	Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)
103	18	203	9
102	80	202	40
104	270	204	135
109	80	209	40
110	18	210	9
SUBTOTAL (2)			

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

3. ADDITIONAL FEES		Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					
SUBTOTAL (3)					0

## SUBMITTED BY

Name (Print/Type) Heidi S. Nebel  
Signature

Registration No. (Attorney/Agent) 37,719

## Complete (if applicable)

Telephone 515-288-3667  
Date 5/29/01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

TECH CENTER 1600/2900

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/759,790	01/12/2001	David L. Benson	P04810US0 PHI 1317

CONFIRMATION NO. 2855

27142  
ZARLEY, MCKEE, THOMTE, VOORHEES & SEASE  
ATTN: PIONEER HI-BRED  
801 GRAND AVENUE, SUITE 3200  
DES MOINES, IA 50309-2721

## FORMALITIES LETTER



\*OC000000005928541\*

Date Mailed: 04/03/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

06/04/2001 AOSMAN1 00000015 161852 09759790

01 FC:102  
02 FC:1031280.00 CH  
216.00 CR

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$216.
  - \$216 for 12 total claims over 20.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1056.

Adjustment date: 06/06/2001 AOSMAN1  
06/04/2001 AOSMAN1 00000015 161852 09759790  
02 FC:103 216.00 CRA copy of this notice **MUST** be returned with the reply.Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Adjustment date: 06/06/2001 AOSMAN1  
06/04/2001 AOSMAN1 00000015 161852 09759790  
01 FC:102 1280.00 CR06/06/2001 AOSMAN1 00000042 161852 09759790  
01 FC:105 130.00 CH



RECEIVED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: BENSON, David L.  
SERIAL NO.: NEW PATENT APPLICATION  
TITLE: HYBRID MAIZE PLANT & SEED 34B97

Receipt is hereby acknowledged of the accompanying:

- Utility Patent Application Transmittal
- Fee Transmittal Form (Payment charged to PHI Deposit Account)
- Request and Certification Under 35 U.S.C. 22(b)(2)(B)(1)
- Specification (54 pages)
- Executed Declaration (yes) (no) (2 pages)
- Information Disclosure Statement (2 pages)
- PTO Form 1449 with copies of all cited art
- Express Mail Certification (Label EL745292002US)



On January 12, 2001 the above described documents were mailed to the Assistant Commissioner for Patents, Box New Application, Washington, D.C. 20231  
P04810US0 P020-778 PHI 1317 - pw-/HSN

KPS